

Message Text

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ORIGIN DLOS-04

INFO OCT-01 EUR-12 IO-10 ISO-00 SS-15 OFA-01 OES-03 L-03

ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00 NSAE-00

NSC-05 NSF-01 OMB-01 PA-01 PM-03 PRS-01 SP-02 USIA-06

FEA-01 OIC-02 AF-06 ARA-06 EA-06 NEA-10 /146 R

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APPROVED BY D/LOS: JNMOORE

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S/S - FVORTIZ

EUR/NE - MR. WORREL (INFO)

OES/OFA - MR. SCHOWENGERDT (INFO)

L/OES - MR. LEITZELL

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R 230046Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 173082

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: HMG DEMARCHE

1. SUMMARY: UK EMB CHARGE MORETON AND EMBOFF GLOVER
DELIVERED AIDE-MEMOIRE TO UNDER SECRETARY MAW JULY 22.
MORETON EXPRESSED STRONG CONCERN AT PROSPECT OF U.S.
EXTENSION OF FISHERIES JURISDICTION TO 200 MILES AND URGED
USG TO AVOID SUCH ACTION. END SUMMARY.

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2. IN DELIVERING AIDE-MEMOIRE (PARA 4 BELOW) MORETON MADE FOLLOWING POINTS. HMG ATTACHES A GREAT IMPORTANCE TO LOS CONFERENCE WHICH IT CONSIDERS VITAL OPPORTUNITY TO ESTABLISH AN AGREED LEGAL REGIME FOR THE SEAS AND AVOID HAVING THEM BECOME AN ARENA FOR WORLD CONFLICT. MORETON SAID HIS GOVERNMENT WISHED TO REGISTER ITS STRONG CONCERN AT PROSPECT OF EARLY EXTENSION OF U.S. FISHERIES JURISDICTION TO 200 MILES. HE SAID KENYA LOS DELEGATION HAD WARNED THAT SUCH UNILATERAL EXTENSION BY DEVELOPED COUNTRIES OF NORTH ATLANTIC WOULD LEAD TO A NUMBER OF AFRICAN COUNTRIES CLAIMING 200 MILE TERRITORIAL SEA. OTHER EUROPEAN COUNTRIES, HE SAID, ARE ALSO CONCERNED ABOUT EFFECT SUCH EXTENSION WOULD HAVE ON FISHING PATTERNS IN NORTH ATLANTIC. HE STATED THAT IN MANY WAYS SINGLE NEGOTIATING TEXT PRODUCED AT GENEVA LOS CONFERENCE IS MORE FAVORABLE TO INTERESTS WHICH US AND UK SHARE THAN COULD HAVE BEEN

HOPED FOR FROM MOOD EARLIER AT CONFERENCE. HE SAID MAJOR POSITIVE ELEMENTS ARE A 12-MILE TERRITORIAL SEA, TRANSIT PASSAGE THROUGH STRAITS, A SATISFACTORY REGIME FOR ARCHIPELAGOS, FREEDOMS OF NAVIGATION AND OVERFLIGHT, CABLE LAYING AND PIPE LINES IN ECONOMIC ZONE AND CONTINUANCE OF HIGH SEAS FREEDOMS. TEXT ALSO PROVIDES FOR COASTAL STATE SOVEREIGN RIGHTS OVER ECONOMIC RESOURCES IN 200 MILE ECONOMIC ZONE. IN CONCLUSION, MORETON EXPRESSED HOPE THAT USG WOULD BE ABLE TO AVOID JUMPING THE GUN ON ECONOMIC ZONE QUESTION SO AS NOT TO JEOPARDIZE VERY REAL ADVANTAGES WHICH EXISTING TEXT INCLUDES.

3. UNDER SECRETARY MAW STATED THAT U.S. SHARES CONCERNS OF U.K. REGARDING CONSEQUENCES OF EARLY EXTENSION OF U.S. FISHERIES JURISDICTION. MR. MAW NOTED STRONG PRESSURES FOR 200 MILE LEGISLATION IN CONGRESS. HE STATED THAT ALTHOUGH THE DEPARTMENT OF STATE STRONGLY OPPOSES SUCH ACTION, EXECUTIVE BRANCH CANNOT CONTROL CONGRESS AND IT IS DIFFICULT TO TELL WHETHER WE CAN SUCCESSFULLY DEFEAT 200-MILE LEGISLATION. HE SUGGESTED TO MORETON THAT IT MIGHT BE USEFUL TO MAKE SIMILAR POINTS TO GOVERNMENT OF CANADA WHICH IS ALSO UNDER PRESSURE TO MAKE UNILATERAL EXTENSION. MR. MAW EXPRESSED SATISFACTION WITH CLOSE CONFIDENTIAL

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COOPERATION BETWEEN HMG AND USG IN LOS NEGOTIATIONS AND EXPRESSED HOPE THAT WE COULD WORK TOGETHER TO ACHIEVE MEANINGFUL WORK SCHEDULE FOR LOS CONFERENCE IN 1976 INCLUDING OBTAINING AGREEMENT FROM GENERAL ASSEMBLY TO FIRMLY SCHEDULE TWO SESSIONS OF THE CONFERENCE IN 1976. PRESENT ARRANGEMENT CONTEMPLATES SECOND SESSION ONLY IF CONFERENCE AFFIRMATIVELY SO DECIDES AT FIRST SESSION.

4. FOLLOWING IS TEXT OF AIDE-MEMOIRE.

BEGIN TEXT. THE BRITISH GOVERNMENT CONTINUES TO ATTACH THE HIGHEST IMPORTANCE TO THE LAW OF THE SEA CONFERENCE WHERE THERE IS CLOSE CO-OPERATION BETWEEN THE AMERICAN AND BRITISH DELEGATIONS IN ORDER TO ATTAIN MANY COMMON GOALS.

THE BRITISH AUTHORITIES HAVE BEEN FOLLOWING THE PROGRESS OF DISCUSSIONS IN CONGRESS ABOUT PROPOSALS TO EXTEND UNITED STATES FISHERIES JURISDICTION OUT TO 200 MILES. THE BRITISH AUTHORITIES UNDERSTAND THE NEED TO CONSERVE FISHING STOCKS IN THE NORTH ATLANTIC AND SHARE THE CONCERNS OF THE UNITED STATES GOVERNMENT ON THIS MATTER. HOWEVER, THEY ARE DEEPLY CONCERNED AT THE POSSIBILITY OF THE UNITED STATES EXTENDING UNILATERALLY TO 200 MILES WHILE THERE ARE STILL GOOD PROSPECTS OF THE CONFERENCE SHOWING POSITIVE RESULTS. THERE ARE GOOD REASONS TO

BELIEVE THAT SUCH UNILATERAL ACTION BY THE UNITED STATES WOULD BE LIKELY TO LEAD TO A NUMBER OF SERIOUS REPERCUSSIONS:-

-FIRST, A NUMBER OF OTHER COASTAL STATES ARE LIKELY TO REACT BY CLAIMING A TERRITORIAL SEA OR SIMILARLY BROAD JURISDICTION OUT TO 200 MILES. THIS WOULD PREJUDICE OUR COMMON INTERESTS IN MAINTAINING THE PRESENT FREEDOM OF NAVIGATION, PARTICULARLY FOR DEFENSE PURPOSES.

-SECONDLY, EXISTING FISHING PATTERNS AROUND THE WHOLE OF THE NORTH ATLANTIC WOULD BE DISTURBED. SOME COUNTRIES, PARTICULARLY IN NORTH AMERICA AND WESTERN EUROPE, WOULD REACT BY EXTENDING THEIR LIMITS, BUT OTHERS WHICH BECAUSE OF THEIR GEOGRAPHICAL SITUATION ARE UNABLE TO DO SO

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MEANINGFULLY WOULD ALSO BE AFFECTED. WHOLESAL CHANGES ON THE BASIS OF UNILATERAL ACTION WOULD BREED INSTABILITY AND MIGHT WELL LEAD TO DISPUTES.

-FINALLY, AS A RESULT OF SUCH EVENTS, THE NEGOTIATIONS FOR A NEW LAW OF THE SEA CONVENTION COULD BREAK DOWN COMPLETELY OR AT LEAST IT COULD BECOME VIRTUALLY IMPOSSIBLE TO BRING THEM TO WHAT THE UNITED STATES AND BRITISH GOVERNMENTS WOULD REGARD AS AN ACCEPTABLE CONCLUSION.

THE BRITISH GOVERNMENT BELIEVE THAT THE UNITED STATES GOVERNMENT SHARES THE WISH THAT THE CONFERENCE SHOULD REACH A SUCCESSFUL CONCLUSION BY ADOPTING A NEW CONVENTION. CONSIDERABLE PROGRESS HAS BEEN MADE. THE SINGLE NEGOTIATING TEXT CONTAINS MANY FAVORABLE ELEMENTS TO

THE INTERESTS OF BOTH GOVERNMENTS ON SUCH VITAL QUESTIONS
AS TRANSIT THROUGH STRAITS AND NAVIGATION THROUGH THE
TERRITORIAL SEA. IT WOULD BE MOST REGRETTABLE IF THESE
POSITIVE ELEMENTS WERE JEOPARDIZED, AS MIGHT WELL BE THE
CASE, BY AN EXTENSION OF UNITED STATES FISHERIES JURIS-
DICTION.

ACCORDINGLY IN VIEW OF THE RISK OF DIRE CONSEQUENCES
FLOWING FROM UNILATERAL EXTENSIONS OF JURISDICTION AT
THIS TIME, THE BRITISH GOVERNMENT HOPE THAT THE UNITED
STATES GOVERNMENT WILL FIND APPROPRIATE MEASURES TO ENSURE
THAT THE COMMON INTERESTS DESCRIBED ABOVE ARE PRESERVED.
END TEXT.

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